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(Additional Counsel on Signature Page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Northpeak Wireless, LLC,
Plaintiff,
v.
Intel Corporation,
Defendant.

Case No. 3:15 cv 5273

COMPLAINT

-AND-

**RELATED PLEADINGS TO
COMMENCE SEVERED ACTION**

Plaintiff NorthPeak Wireless, LLC (“NorthPeak”) and Defendant Intel Corporation (“Intel”) have jointly filed this Complaint and Related Pleadings to Commence Severed Action and state the following:

1. This action (the “Severed Action”) is being filed pursuant to an order approving severance of certain claims in a previously-filed action in this Court, styled *NorthPeak Wireless, LLC v. 3COM Corp., et al.*, Case No. 3:09-cv-00602 SI (the “Remaining Action”). A copy of the order of severance (Dkt. 621 in the Remaining Action) is attached as Exhibit A hereto.

2. The above order of severance was entered based on a Stipulation of Noninfringement and for Severance of Claims Regarding Intel entered into by NorthPeak and

1 Intel (Dkt. 614 in the Remaining Action). A copy of that stipulation is attached as Exhibit B
2 hereto.

3 3. As instructed in the order of severance, NorthPeak and Intel are filing in this
4 Severed Action the pleadings they originally filed against each other in the Remaining Action.
5 Accordingly, attached as Exhibit C hereto is a copy of Intel's Complaint in Intervention against
6 NorthPeak; attached as Exhibit D hereto is a copy of Plaintiff NorthPeak Wireless, LLC's Answer
7 and Counterclaim to Intervenor Intel Corporation's Complaint in Intervention; and attached as
8 Exhibit E hereto is a copy of Intervenor Intel Corporation's Answer to Plaintiff NorthPeak
9 Wireless, LLC's Counterclaim.

10 4. NorthPeak and Intel incorporate and adopt their pleadings against the other for
11 purposes of commencing this Severed Action pursuant to the order of severance by the Court.

12 DATED: November 18, 2015

**KESSLER TOPAZ MELTZER &
CHECK, LLP**

14 By: s/ Eli Greenstein

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18 **KESSLER TOPAZ MELTZER &
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21 By: s/ Chad Campbell w/ permission

22 Chad S. Campbell (#258723)
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24 2901 North Central Avenue, Suite 2000
Phoenix, Arizona 85012-2788

25 Attorneys for Intel Corporation

1
2 **CONSENT TO FILING PURSUANT TO GENERAL ORDER 45(X)**
3

4 The undersigned hereby attests that written concurrence in the filing of the **Complaint**
5 **and Related Pleadings to Commence Severed Action** has been obtained from each of the
6 parties listed in the signature block above.
7

8 Dated: November 18, 2015
9

10 /s/ **Eli Greenstein**
11

12 **Eli Greenstein**
13

14 **CERTIFICATE OF SERVICE**
15

16 The undersigned hereby certifies that the foregoing document was electronically filed in
17 compliance with Local Rule CV-5 and served via the Court's electronic filing system on all
18 counsel who have consented to electronic service on November 18, 2015.
19

20 /s/ **Eli Greenstein**
21

22 **Eli Greenstein**
23